

## MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 4, 2008

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THE CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 4, 2008, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

### THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt  
Russ Brooks  
Carolynn Burt  
Joel Coleman  
Corey Rushton  
Steve Vincent  
Mike Winder

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

### STAFF PRESENT:

Richard Catten, City Attorney  
John Evans, Fire Chief  
Joseph Moore, CED Director  
Russell Willardson, Public Works Director  
Layne Morris, Community Preservation Director  
Craig Black, Acting Police Chief  
Ken Olsen, Acting Finance Director  
Aaron Crim, Administration  
Craig Thomas, Administration  
Brent Garlick, CED Department  
Jake Arslanian, Public Works Department

### 14274      **OPENING CEREMONY**

The Opening Ceremony was conducted by Steve Vincent who led the Pledge of Allegiance to the Flag.

### 14275      **SCOUTS**

Mayor Nordfelt welcomed Scout Troop Nos. 441 and 440 in attendance to completed requirements for the Citizenship in the Community and Communications merit badges.

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### 14276      **APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 21, 2008**

The Council read and considered the Minutes of the Regular Meeting held October 21, 2008. There were no changes, corrections

After discussion, Councilmember Winder moved to approve the Minutes of the Regular Meeting held October 21, 2008, as written. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

### 14277      **PRESENTATION OF *ESSENTIAL PIECE* AWARD TO UTAH COUNCIL OF CRIME PREVENTION**

Mayor Nordfelt read a narrative and presented the *Essential Piece* Award to Ms. Tibby Milne of the Utah Council of Crime Prevention. The City Council members offered congratulations to Ms. Milne and the Utah Council of Crime Prevention organization.

Ms. Milne addressed the City Council and stated her relationship with Mayor Nordfelt “went back 32 years.” She also expressed appreciation for the opportunity to hold their event at the Utah Cultural Celebration Center (UCCC), and for the assistance of City staff. She indicated she had been honored with the privilege of helping youth because of the conference.

Mayor Nordfelt thanked Ms. Milne and stated she was the “heart and soul” of the Utah Council of Crime Prevention organization.

### 14278      **PROCLAMATION DECLARING NOVEMBER 5-8, 2008, AS “POWER OF PREVENTION” WEEK IN WEST VALLEY CITY**

Mayor Nordfelt read a proclamation declaring November 5-8, 2008, as “Power of Prevention” week in West Valley City.

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14279 **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt there was no one in attendance who desired to address the City Council during the Comment Period.

14280 **RESOLUTION NO. 08-273, APPROVE PURCHASE OF TWO 2009 FORD F350 TRUCKS FROM KEN GARFF FORD FOR USE BY THE PARKS AND RECREATION DEPARTMENT**

City Manager, Wayne Pyle, presented proposed Resolution No. 08-273 which would approve the purchase of two 2009 Ford trucks from Ken Garff Ford, in an amount not to exceed \$50,000.00, for use by the Parks and Recreation Department.

Mr. Pyle stated the subject trucks would be utilized by the Maintenance Division of the Parks and Recreation Department. He advised that Ken Garff Ford held the State contract to supply the vehicle make and model. He also advised the two vehicles would be an addition to the fleet and used by two new Parks and Recreation Department employees. He indicated the Fleet Manager had met with the Department and determined the 2009 Ford F350 trucks would be the most efficient vehicles for their intended purposes.

After discussion, Councilmember Winder moved to approve Resolution No. 08-273, a Resolution Approving the Purchase of Two 2009 Ford F350 Trucks from Ken Garff Ford for use by the Parks and Recreation Department. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14281 **RESOLUTION NO. 08-274, AWARD A CONTRACT TO SONNTAG RECREATION FOR THE CITY PARK PLAY STRUCTURE REPLACEMENT AND AUTHORIZE EXECUTION OF A CONTRACT**

City Manager, Wayne Pyle, presented proposed Resolution No. 08-274 which would award a contract to Sonntag Recreation for the City Park play structure replacement and authorize execution of the contract.

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Mr. Pyle stated eight play structure replacement proposals had been received, as follows:

<u>Company / Proposal</u>	<u>Manufacturer</u>	<u>Score</u>	<u>Amount</u>
Garrett and Company #1	Miracle Rec Equip.	108	\$29,471.00
#2		107	\$26,441.00
Intermountain Rec.	Play World Systems	100	\$35,900.00
Sonntag Recreation	Landscape Structures	125	\$42,000.00
Great Western P & P	GameTime	116	\$30,134.00
Alpine Recreation	PlayCraft	99	\$43,384.00
Blue Sky	Little Tikes	93	\$44,000.00
PlaySpace Designs	Kompan	91	\$43,150.00
Sunshine Rec.		82	\$31,211.00

Mr. Pyle stated the play structure at City Park had been removed several years ago because of its poor condition. He further stated local residents had been asking for a replacement structure for some time. He indicated a proposal process had been established to receive bids and evaluate them to determine the best product for the location. The evaluation criteria for the proposals included creativity in design, unique play features, delivery time, cost/value, most effective use of the available space, and warranty.

The City Manager reported the evaluation criteria had been included in the RFP packet so prospective bidders would know how their proposals would be judged. He advised that all evaluations had been handled independently. He indicated each proposal had been evaluated by a panel of five parks and recreation professionals with backgrounds in administration, design, maintenance, recreation, and education. He advised that over a one-week period, the panel reviewed and graded each proposal. He indicated once the evaluations had been completed, all scoring had been placed on a spreadsheet and tallied.

Mr. Pyle stated funding for the project would be from Park Impact fees.

After discussion, Councilmember Winder moved to approve Resolution No. 08-274, a Resolution Awarding a Contract to Sonntag Recreation for the City Park Play Structure Replacement and Authorizing the Execution of a Contract. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
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Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14282

### **RESOLUTION NO. 08-275, AWARD A CONTRACT TO BLUE SKY RECREATION FOR THE WOODLEDGE PARK PLAY STRUCTURE REPLACEMENT AND AUTHORIZE EXECUTION OF A CONTRACT**

City Manager, Wayne Pyle, presented proposed Resolution No. 08-275 which would award a contract to Blue Sky Recreation for the Woodledge Park play structure replacement and authorize execution of the contract.

Mr. Pyle stated eight play structure replacement proposals had been received, as follows:

<u>Company / Proposal</u>	<u>Manufacturer</u>	<u>Score</u>	<u>Amount</u>
Garrett and Company #1	Miracle Rec Equip.	109	\$36,896.00
#2		DNF	\$38,464.00
Intermountain Rec.	PlayWorld Systems	093	\$35,900.00
Sonntag Recreation #1	Landscape Structures	118	\$42,000.00
#2		123	\$42,000.00
#3		112	\$42,000.00
Great Western P & P	GameTime	118	\$30,129.43
Alpine Recreation	PlayCraft	109	\$41,496.00
Blue Sky	Little Tikes	119	\$35,890.00
PlaySpace Designs	Kompan	85	\$45,000.00
Sunshine Rec.		DNF	\$ -

The City Manager indicated the play structure at the subject location had been removed several years ago because of its dilapidated condition. He stated the area residents had been asking for a replacement structure for some time. He advised a proposal process had been established to receive bids and evaluate them to determine the best product for the location. The evaluation criteria for the proposals included creativity in design, unique play features, delivery time, cost value, most effective use of available space, and warranty. He reported the evaluation criteria had been included in the RFP packet so prospective bidders would know how their proposals would be judged. He stated all evaluations had been handled independently. He further advised each proposal had been evaluated by a panel of five parks and recreation professionals with backgrounds in

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administration, design, maintenance, recreation, and education. He stated that over a one-week period, the panel had reviewed and graded each proposal. He also stated once the evaluations had been completed, all scoring had been placed on a spreadsheet and tallied.

City Manager, Wayne Pyle, stated funding for the project would be from the Park Impact fees.

After discussion, Councilmember Vincent moved to approve Resolution No. 08-275, a Resolution Awarding a Contract to Blue Sky Recreation for the Woodledge Park Play Structure Replacement and Authorizing the Execution of a Contract. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14283

### **RESOLUTION NO. 08-276, APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH CODY EKKER CONSTRUCTION, INC., FOR CONSTRUCTION OF THE 2200 WEST IMPROVEMENT PROJECT FROM 3500 SOUTH TO 3800 SOUTH**

City Manager, Wayne Pyle, presented proposed Resolution No. 08-276 which would approve Change Order No. 1 to the contract with Cody Ekker Construction, Inc., in the amount of \$55,505.00, for construction of the 2200 West Improvement Project from 3500 South to 3800 South.

Mr. Pyle stated the change order covered additional work and supplies necessary to complete the 2200 West Improvement Project.

The City Manager reported that during construction an existing decayed corrugated metal pipe collapsed. He stated the subject change order covered the cost of removal and replacement of approximately 250 linear feet of 36-inch reinforced concrete pipe. He indicated an additional combo box would also be required. An additional 200 square yards of patterned concrete park strip would be required to complete both sides of 2200 West along the project area.

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City Manager, Wayne Pyle, indicated the project would be funded by Community Development Block Grant funds.

After discussion, Councilmember Burt moved to approve Resolution No. 08-276, a Resolution Authorizing Change Order No. 1 to the Contract with Cody Ekker Construction, Inc. for the Construction of the 2200 West Improvement Project from 3500 South to 3800 South. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14284

### **RESOLUTION NO. 08-277, APPROVE AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH COLONY PARTNERS, LLC, FOR APPROXIMATELY 34.5 ACRES OF REAL PROPERTY BEING DEVELOPED IN THE VICINITY OF 2610 SOUTH 5600 WEST**

City Manager, Wayne Pyle, presented proposed Resolution No. 08-277 which would approve an Amendment to the Development Agreement with Colony Partners, LLC, for approximately 34.5 acres of real property being developed in the vicinity of 2610 South 5600 West.

Mr. Pyle stated that earlier in the year the City Council approved a resolution authorizing a development agreement between the City and Colony Partners, LLC, for the residential portion of the West Valley Pavilion Subdivision on the northwest corner of 5600 West and Parkway Boulevard. He indicated the purpose for the subject resolution would be to update the exhibits that illustrated the types of units to be built.

The City Manager advised that when the development agreement had been approved earlier in the year Hearthside Homes was the anticipated residential developer. He stated Hearthside had planned to construct a combination of stacked flat condos and townhomes with a total of 150 units. Item 14 of the Development Agreement stated: "The condominium and townhome buildings shall be built substantially like the elevations in Exhibit C with the exception that all of the requirements in Chapter 7-14 Part 3 of the Zoning Ordinances shall apply to all the residential buildings within the development as well as the site

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layout design and open space requirements.” He also stated a copy of the original Exhibit C had been attached to the documentation.

Mr. Pyle stated Holmes Homes was now the anticipated residential developer with the plan to build 150 townhomes. The 150 townhomes would include a mix of front load (garages on the front) and rear load (garages on the back accessed by an alley) units. Attached to the documentation was a letter from Walter Plumb with Colony Partners, LLC, which outlined the reasons for the change to the development agreement. He advised staff believed the latest proposal would be an improvement to the original proposal because all units under the latest proposal would have two car garages, the average unit size would be significantly larger, and the latest site plan created a larger, centrally located park space. He stated a copy of the proposed Exhibit C had been attached to the documentation.

After discussion, Councilmember Winder moved to approve Resolution No. 08-277, a Resolution Authorizing the Execution of an Amendment to the Development Agreement with Colony Partners, LLC, for Approximately 34.5 Acres of Real Property Being Development in the Vicinity of 2610 South 5600 West. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14285

**RESOLUTION NO. 08-278, AWARD CONTRACT TO ARNELL-WEST, INC., AND AUTHORIZE EXECUTION OF A CONTRACT FOR CONSTRUCTION OF THE POLICE VEHICLE STORAGE FACILITY LOCATED AT 5885 WEST 5400 SOUTH**

City Manager, Wayne Pyle, presented proposed Resolution No. 08-278 which would award a contract to Arnell-West, Inc. in the amount of \$895,000.00 and authorize execution of the contract for construction of the Police vehicle storage facility located at 5885 West 5400 South.

Mr. Pyle stated bids had been solicited and a total of 12 bids had been received as follows:

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Arnell West	\$ 895,000.00
Easton River Construction	\$ 915,800.00
Brubaker Construction	\$ 923,000.00
Interwest Construction	\$ 940,000.00
MSCI	\$ 967,950.00
Chad Broderick Construction	\$ 969,800.00
Onyx	\$ 977,244.00
Continental Engineering	\$1,009,800.00
Bowen Construction	\$1,028,000.00
Valley Design	\$1,034,000.00
Cal Wadsworth	\$1,063,900.00
Reed Welding	\$1,202,000.00

The City Manager stated the lowest responsible bid had been submitted by Arnell-West, Inc. in the amount of \$895,000.00.

Mr. Pyle reported construction included an 18,000 sq. ft. metal building on a concrete slab. He further reported a set of restrooms and drainage security system would also be included. He indicated the project involved construction of a new building which would be constructed under the supervision of the City and GSBS Architects.

After discussion, Councilmember Coleman moved to approve Resolution No. 08-278, a Resolution Awarding a Contract to Arnell-West, Inc. and Authorizing the Execution of a Contract for Construction of the Police Vehicle Storage Facility Located at 5885 West 5400 South. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, NOVEMBER 4, 2008, WAS ADJOURNED AT 6:48 P.M., BY MAYOR NORDFELT.

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I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, November 4, 2008.

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Sheri McKendrick, MMC  
City Recorder